REMARKS

Claims 1-34 are pending in the present application. Claims 1-26 have been rejected. Claims 27-34 are added. Support for the additional claims can be found in the specification at least on pages 12-14 and Figure 4. Reconsideration of the claims is respectfully requested.

I.   Telephone Interview

Applicants thank Examiner Amsbury for the courtesies extended to Applicants' representatives during the October 7, 2003 telephone interview. During the interview, no specific outcome was reached. Examiner Amsbury indicated that he would review Applicants arguments. The substance of the interview is summarized in the following remarks.

II.   35 U.S.C. § 102, Alleged Anticipation, Claims 1-26

The examiner has rejected claims 1-26 under 35 U.S.C. § 102(e) as being anticipated by Cooper et al ("*Cooper*"), US 2001/0051996. This rejection is respectfully traversed.

As to claims 1, the examiner states:

> Cooper manages media content with authentication information [0017], which is in turn managed by means of a Certification Authority (CA) [0065], a role that may be taken by virtually any entity.
> As to claim 1, the CA receives information from a plurality of users [0066]; stores the information [copyright registry 234], and removes selected information on request [0069].
> Alternately, the content itself is provided by a plurality of users, stored in a master database [FIG 2], and upon recognition of piracy, a user may cause the content to no longer be played [0124].

Office Action dated July 11, 2003, page 2.

Claim 1, reads as follows:

> 1.   (Original) A method in a data processing system for managing information, the method comprising:

receiving information from a plurality of users;
storing the information to form stored information;
<u>receiving a request to remove selected information</u> from the stored
information from a user within the set of users, wherein the selected
information is received in response to a transaction involving the user; and
<u>responsive to receiving the request,</u> removing the selected
information from the stored information. (emphasis added)

A prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. *In re Bond,* 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). All limitations of the claimed invention must be considered when determining patentability. *In re Lowry,* 32 F.3d 1579, 1582, 32 U.S.P.Q.2d 1031, 1034 (Fed. Cir. 1994). Anticipation focuses on whether a claim reads on the product or process a prior art reference discloses, not on what the reference broadly teaches. *Kalman v. Kimberly-Clark Corp.,* 713 F.2d 760, 218 U.S.P.Q. 781 (Fed. Cir. 1983). *Cooper* does not identically show each and every feature of the claims arranged as they are in the claims. For example, *Cooper* does not teach <u>receiving a request to remove selected information</u> from the stored information from a user within the set of users, wherein the selected information is received in response to a transaction involving the user, as recited in claim 1. The examiner believes that this feature is taught at paragraph [0069], which reads as follows:

[0069] 4) Revoke a user's digital certificate(s).

Cooper, paragraph [0069].

This section of *Cooper* does not teach <u>receiving a request to remove selected information</u> from the stored information from a user within the set of users, where the selected information is received in response to a transaction involving the user. Revoking a user's digital certificate is putting the user's access into abeyance and the digital certificate can be reinitiated later, thus, there is no removing of selected information.

Cooper is directed to a method and system for transferring electronic media information over a public network in such a way as to provide safeguards for inappropriate distribution of copyright or otherwise protected materials. This portion of *Cooper* provides no teaching for receiving a request to remove selected information from

the stored information from a user within the set of users, where the selected information is received in response to a transaction involving the user, as recited in claim 1. No feature is present in the system of *Cooper* to allow the user to (1) submit a request to remove selected information from the stored information in which the selected information is received in response to a transaction involving the user and (2) responsive to receiving the request, removing the selected information from the stored information. The examiner believes that this feature is taught at paragraph [0069], which reads as follows:

[0069] 4) Revoke a user's digital certificate(s).

Cooper, paragraph [0069].

This cited section of *Cooper* does not teach receiving a request to remove selected information from the stored information from a user within the set of users, where the selected information is received in response to a transaction involving the user. Instead this portion of *Cooper* only teaches a revoking step. Revoking a user's digital certificate is putting the user's access into abeyance and the digital certificate can be reinitiated later, thus, there is no removing of selected information. Even if revoking the digital certificate can be considered removing selected information, the revoking of the digital certificate is based upon operational checks performed by the management system and not by a user request. Furthermore, the digital certificate taught by *Cooper* is not information received by the user, but is information issued by the management system. Thus, the digital certificate is not selected information received in response to a transaction involving the user.

Additionally, the invention as recited in claim 1 includes as step as follows: responsive to receiving the request, removing the selected information from the stored information. The user is unable to submit a request to remove selected information. Thus, *Cooper* does not teach being responsive to receiving the request and removing the selected information from the stored information.

Thus, in view of the above, *Cooper* does not teach each and every feature of independent claim 1 as is required under 35 U.S.C. § 102(e). At least by virtue of their dependency on claim 1, *Cooper* does not teach each and every feature of dependent

claims 2-7. Accordingly, the rejection of claims 1-26 under 35 U.S.C. § 102(e) has been overcome.

In addition to the above, *Cooper* does not teach or suggest the specific features recited in dependent claims 2-7. For example, with regard to claims 2, *Cooper* does not teach determining whether the request is a valid request and preventing removing of the selected information in response to a determination that the request is an invalid request. The examiner states the following:

> The digital identification of a user or owner is a "consumer ID"" is used to verify any message from a user [0042]. Alternatively, a digital certificate may be checked to see if it is valid or invalid [0124].

Paragraph [0042] in *Cooper* reads as follows:

> [0042] As used herein, the term "consumer ID" refers to a positive digital identification of the user, computer, or player device owned by a person who downloads content, has access to content download systems, or can access the systems described in this patent. A positive digital identification may be any one or a plurality of the following: an individual's digital certificate, a digital certificate or digital certificate serial number digitally signed using the user's private key, a transactional ID digitally signed using a user's private key that can be verified via the user's public key, the serial numbers of computers or player devices owned by or registered to a user, a message received by a system containing verified biometrics data (fingerprint, face recognition, eye/retina recognition, voice recognition etc.), or other legally recognizable means to identify an individual.

Cooper, paragraph [0042].

This section teaches that a Consumer ID is used as identification means for a use, computer or player device.

Paragraph [0124] in *Cooper* reads as follows:

> [0124] With a Content Registry system 234, a player of content may check the registry to see if an identical digital certificate is being played by another player device. This may be achieved by communicating with the Copyright Registry 234 on-line using a network 116, for example the Internet, an Intranet, or other network. Certain in-use switches may be set to indicate that a user is currently using a particular content file. Following is an example of this. A software program that has been previously registered with the Copyright Registry 234 is initiated by an end user. During the program initialization process, the Copyright

Registry 234 is checked to see if someone else is using the same software program with the same digital certificate. If so, then piracy has been detected and the author or publisher may decide how best to communicate an appropriate message to the parties using the software. If a no match condition is found, the content file plays normally. When the content file reaches its end, then the Copyright Registry 234 may be updated to indicate that the content file and the digital certificate for that content file are no longer being played. An in-use switch will be set back to False, Null, Zero, or other value that indicates the content is no longer being played.

Cooper, paragraph [0124].

This cited section teaches authenticating digital certificates to see if an identical certificate is being used elsewhere and thus detecting piracy. If piracy is detected, a message is sent to the author or publisher for appropriate action. While, these sections of *Cooper* teach a Consumer ID and authentication, they do not teach preventing removal of information in response to the request being invalid. Furthermore, the authentication of the digital certificate in these sections do not have anything to do with Revoke a user's digital certificate, in paragraph [0069], which is part of a set of operations that may be performed by a certificate authority.

Thus, *Cooper* does not teach or suggest all of the features of independent claim 1. *Cooper* also does not teach or suggest the features of dependent claims 2-7, which depend from independent claim 1.

Furthermore, the examiner has failed to address the specific features of claims 8-13, 21-23 and 25-26, and merely alleges, without any supported evidence, that these claims are rejected on the same basis as claims 1-7, even though they contain additional features. Thus, these claims are patentable over *Cooper* for the same reason. A prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). All limitations of the claimed invention must be considered when determining patentability. *In re Lowry*, 32 F.3d 1579, 1582, 32 U.S.P.Q.2d 1031, 1034 (Fed. Cir. 1994). Anticipation focuses on whether a claim reads on the product or process a prior art reference discloses, not on what the reference broadly teaches. *Kalman v. Kimberly-*

Clark Corp., 713 F.2d 760, 218 U.S.P.Q. 781 (Fed. Cir. 1983). Further, *Cooper* does not identically show each and every feature of the claims arranged as they are in the claims. For example, independent claims 8, 13, 21 and 25, contain the feature of sending a Web page to a user at a client.

Thus, in view of the above, *Cooper* does not teach each and every feature of independent claims 1, 8, 11, 12, 13, 14, 21, 24 and 25 as is required under 35 U.S.C. § 102(e). At least by virtue of their dependency on claims 1, 8, 14, 21 and 25, respectively, *Cooper* does not teach each and every feature of dependent claims 2-7, 9, 10, 15-20, 22, 23 and 26. Accordingly, the rejection of claims 1-26 under 35 U.S.C. § 102(e) has been overcome.

Furthermore, *Cooper* does not provide any teaching, suggestion, or incentive to make the needed changes to reach the presently claimed invention. *Cooper* actually teaches away from the presently claimed invention because this cited reference teaches retaining all information regarding the user opposed to receiving a request to remove selected information from the stored information from a user within the set of users, where the selected information is received in response to a transaction involving the user and responsive to receiving the request, removing the selected information from the stored information as in the presently claimed invention. Absent the examiner pointing out some teaching or incentive to implement *Cooper* to receive a request to remove selected information from the stored information from a user within the set of users, where the selected information is received in response to a transaction involving the user and responsive to receiving the request, removing the selected information from the stored information as in the presently claimed invention, one of ordinary skill in the art would not be led to modify *Cooper* to reach the present invention when the reference is examined as a whole. Absent some teaching, suggestion, or incentive to modify *Cooper* in this manner, the presently claimed invention can be reached only through an improper use of hindsight using the Applicants' disclosure as a template to make the necessary changes to reach the claimed invention.

III.   New Claims 27-34

Claims 27-34 have been added to the pending application and the features in these claims are supported in the specification at least on pages 12-14 and Figure 4. Consequently, no new matter has been added.

Claim 27, which is representative of the other newly added dependent claims 29, 31, and 33, reads as follows:

> 27.   The method of claim 1, wherein the request to remove selected information originates from the user's client device.

At least by virtue of their dependency on claims 1, *Cooper* does not teach each and every feature of dependent claims 27, 29, 31 and 33. Furthermore, *Cooper* does not teach the request to remove selected information originates from the user's client device. As discussed above, *Cooper* does not teach receiving a request to remove information, thus, *Cooper* does not provide for receiving a request to remove selected information where the request originates from the user's client device.

Claim 28, which is representative of the other newly added dependent claims 30, 32, and 34, reads as follows:

> 28.   The method of claim 1, wherein the stored information is information stored on a server.

Therefore, *Cooper* does not teach each and every feature of dependent claims 28, 30, 32 and 34. Furthermore, *Cooper* does not teach wherein the stored information is information stored on a server. As discussed above, *Cooper* does not teach receiving a request to remove information, thus, *Cooper* does not provide for receiving a request to remove stored information where the information is stored on a server.
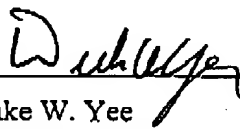
Thus, in view of the above, Applicants respectfully submit that *Cooper* does not teach each and every feature dependent claims 27-34. Accordingly, new claims 27-34 should be allowed.

IV.   Conclusion

It is respectfully urged that the subject application is patentable over *Cooper* and is now in condition for allowance. The examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

Respectfully submitted,

DATE: _10/ 9/03_

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